

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

LANCE WILLIAMS,

Plaintiff,

v.

KATHLEEN ALLISON, et al.,

Defendants.

No. 2:21-cv-0051 KJM CKD P

ORDER

Plaintiff, a state inmate proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 1, 2021, the magistrate judge filed findings and recommendations, which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this court has conducted a *de novo* review of this case. Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:


1. The findings and recommendations filed September 1, 2021, are adopted in full;

2. The First Amendment claims against defendants Muñoz and Allison are dismissed without leave to amend;

3. This case is proceeding on the Eighth Amendment excessive force claim against defendant Munoz; and

4. This case is referred back to the assigned magistrate judge for further pretrial proceedings.

DATED: December 13, 2021.

  
CHIEF UNITED STATES DISTRICT JUDGE